

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KELAN BOYD,

Petitioner,

-v-

THOMAS DECKER et al.,

Respondents.

18-CV-1864 (JMF)

MEMORANDUM OPINION
AND ORDER


JESSE M. FURMAN, United States District Judge:

On March 1, 2018, Petitioner Kelan Boyd, proceeding *pro se*, filed this petition for the writ of *habeas corpus* (the “Petition”), pursuant to Title 28, United States Code, Section 2241, challenging his detention by immigration authorities without a bond hearing. Upon review of the parties’ submissions, the Petition is dismissed, substantially for the reasons set forth in the Government’s opposition and supplemental letter brief. (Docket Nos. 6, 13). In particular, Boyd fails to carry his threshold burden under *Zadvydas v. Davis*, 533 U.S. 678 (2001), of showing “good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future.” *Id.* at 701. Moreover, to the extent that he could carry that burden, the Government has rebutted it with evidence that he will be removed imminently, in part by demonstrating that it has already attempted to effectuate Boyd’s removal once and is in the process of obtaining a new travel document from Trinidad and Tobago to allow for his removal shortly. (Docket No. 13). Notably, in his reply papers, Boyd is unable to dispute the Government’s showing; instead, he challenges the propriety of his removal, which is not an issue properly before this Court, and points to a newly filed motion to reopen his case, which has not impeded the Government’s attempts to remove him. (Docket No. 15).

For these reasons, the Petition must be and is dismissed. The Clerk of Court is directed to close this case and to send a copy of this Memorandum Opinion and Order to Boyd. The Court certifies, pursuant to Title 28, United States Code, Section 1915(a)(3), that any appeal from this Order would not be taken in good faith, and *in forma pauperis* status is thus denied. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: July 26, 2018
New York, New York


JESSE M. FURMAN
United States District Judge